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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)

v.)

THOMAS D. TUKA)

Criminal No. 11-134

(26 U.S.C. §§ 7201 and 7203)

INDICTMENT

The grand jury charges:

During the calendar year 2003, THOMAS D. TUKA, a resident of New Galilee, Pennsylvania, had and received taxable income in the amount of \$83,856 00. Upon that taxable income, there was owing to the United States of America an income tax of \$18,575.00. Well knowing and believing the foregoing facts, THOMAS D. TUKA, on or about April 15, 2004, in the Western District of Pennsylvania, did willfully attempt to evade and defeat the income tax due and owing by him to the United States of America for the calendar year by failing to make an income tax return on or about April 15, 2004, as required by law, by failing to pay to the Internal Revenue Service \$15,635.00 of the income tax, by receiving disability benefits without federal income tax withholdings, and by causing vehicles he purchased to be titled in the name of a nominee trust.

In violation of Title 26, United States Code, Section 7201.

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COUNT TWO

The grand jury further charges.

During the calendar year 2004, THOMAS D. TUKA, a resident of New Galilee, Pennsylvania, had and received taxable income in the amount of \$71,898.00. Upon that taxable income, there was owing to the United States of America an income tax of \$15,104.00. Well knowing and believing the foregoing facts, THOMAS D. TUKA, on or about April 15, 2005, in the Western District of Pennsylvania, did willfully attempt to evade and defeat the income tax due and owing by him to the United States of America for the calendar year by failing to make an income tax return on or about April 15, 2005, as required by law, by failing to pay to the Internal Revenue Service the income tax, by receiving disability benefits without federal income tax withholdings, and by falsely stating in a letter to the IRS that he did not make enough to require the filing of tax returns.

In violation of Title 26, United States Code, Section 7201

COUNT THREE

The grand jury further charges:

During the calendar year 2005, THOMAS D. TUKA, a resident of New Galilee, Pennsylvania, had and received taxable income in the amount of \$71,548.00. Upon that taxable income, there was owing to the United States of America an income tax of \$14,893 00. Well knowing and believing the foregoing facts, THOMAS D TUKA, on or about April 15, 2006, in the Western District of Pennsylvania, did willfully attempt to evade and defeat the income tax due and owing by him to the United States of America for the calendar year by failing to make an income tax return on or about April 15, 2006, as required by law, by failing to pay to the Internal Revenue Service the income tax, by receiving disability benefits without federal income tax withholdings, and by instructing a company which processed his disability benefits not to withhold any taxes.

In violation of Title 26, United States Code, Section 7201.

COUNT FOUR

The grand jury further charges.

During the calendar year 2006, THOMAS D. TUKA, a resident of New Galilee, Pennsylvania, had and received taxable income in the amount of \$70,842.04. Upon that taxable income, there was owing to the United States of America an income tax of \$14,533.00. Well knowing and believing the foregoing facts, THOMAS D. TUKA, on or about April 15, 2007, in the Western District of Pennsylvania, did willfully attempt to evade and defeat the income tax due and owing by him to the United States of America for the calendar year by failing to make an income tax return on or about April 15, 2007, as required by law, by failing to pay to the Internal Revenue Service the income tax, and by receiving disability benefits without federal income tax withholdings.

In violation of Title 26, United States Code, Section 7201.

COUNT FIVE

The grand jury further charges:

During the calendar year 2007, THOMAS D. TUKA, who was a resident of New Galilee, Pennsylvania, had and received gross income of \$78,960.84. By reason of such gross income, he was required by law, following the close of the calendar year 2007 and on or before April 15, 2008, to make an income tax return to the Internal Revenue Service Center at Pittsburgh, Pennsylvania, or to another Internal Revenue Service office permitted by the Commissioner of Internal Revenue, stating specifically the items of his gross income and any deductions and credits to which he was entitled. Well knowing and believing all of the foregoing, he did willfully fail, on or about April 15, 2008, in the Western District of Pennsylvania, and elsewhere, to make an income tax return.

In violation of Title 26, United States Code, Section

7203


COUNT SIX

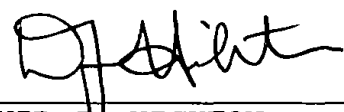
The grand jury further charges.

During the calendar year 2008, THOMAS D. TUKA, who was a resident of New Galilee, Pennsylvania, had and received gross income of \$74,279.19. By reason of such gross income, he was required by law, following the close of the calendar year 2008 and on or before April 15, 2009, to make an income tax return to the Internal Revenue Service Center at Pittsburgh, Pennsylvania, or to another Internal Revenue Service office permitted by the Commissioner of Internal Revenue, stating specifically the items of his gross income and any deductions and credits to which he was entitled. Well knowing and believing all of the foregoing, he did willfully fail, on or about April 15, 2009, in the Western District of Pennsylvania, and elsewhere, to make an income tax return.

In violation of Title 26, United States Code, Section 7203.

A True Bill,


FOREPERSON



DAVID J. HICKTON
United States Attorney
PA ID No. 34524